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LLP

L A W Y E R S

E-Filed on 8/27/207

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL  
OF OBJECTION AND  
ALLOWANCE OF PROOF OF  
CLAIM FILED BY STUART  
BASKIN**

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

The USACM Liquidating Trust (the "USACM Trust"), by and through its undersigned counsel, and Stuart Baskin ("Baskin"), stipulate:

1. Baskin filed a Proof of Claim ("Claim") No. 10725-01792 on December 13, 2006, as a priority claim in the amount of \$3,500.00.

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1           2.       On March 23, 2007, the USACM Trust filed an Omnibus Objection to  
2 Commission Claims Asserting Priority Status [DE 3255] including Claim No. 10725-  
3 01792 objecting to the commission priority status of the Claim filed by Baskin, arguing  
4 that the Claim is not entitled to priority status and requested that the claim be reclassified  
5 as a general unsecured claim.

6           3.       On April 26, 2007, a hearing was held on the USACM Trust's Objection to  
7 Claim.

8           4.       Stewart Baskin claimed he did not receive a copy of the Order Setting  
9 Deadline to file Proofs of Claim and Proofs of Interest [DE 1280] (the "Order"). The  
10 address listed on the Certificate of Mailing of the Order is not Mr. Baskin's current  
11 mailing address and the order was not forwarded to him.

12           5.       Stuart Baskin provided the USACM Trust proof of the amount of  
13 Commissions owed and documentation verifying that he never received notice of the  
14 deadline to file a proof of claim.

15           6.       The parties have met and conferred and agree that the USACM Trust will  
16 withdraw its objection and Baskin's Claim No. 10725-01792 be allowed as a wage priority  
17 claim in the amount of \$3,500.00 and paid by USA Commercial Mortgage Company from  
18 the reserve.

19           DATED: August 27, 2007

20  
21                   **LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

*Counsel for USACM Liquidating Trust*

24                   -and-

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AND  
ROCA  
LAWYERS

DATED: 8/27, 2007.

Stewart Baskin  
Stewart Baskin  
1489 W. Warm Spring Road, Suite 110  
Henderson, Nevada 89014

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